motions, we are asked to state reasons. But that cannot have the force of a Rule. I do admit that there is difficulty for the Government Member to anticipate the purpose of the motion and to give an off-hand reply and that it is better to the interests of the Member who sends the motion to give reasons for the motion. But if by some accident or difference of opinion the reasons are not correctly worded, on that ground alone the motion should not be rejected. That is my position. If the Member has not given the reasons, the Government Member may not be in a position to offer a satisfactory explanation and the Member tabling the motion may not derive the benefit which he intended. But that should not preclude one from sending a motion without stating reasons.

President.—I would like to have some time for consideration before passing any ruling on this point.

Demands for Supplementary Grants.

1. 12—Registration—Rs. 1,060—0—6.

Mr. T. S. Sesha Ayyar.—Sir, I rise to move for an additional allotment of Rs. 1,009—13—7 under XII—Registration—Establishment of District Registrars, and Rs. 50—2—11 under "Temporary Establishment" under the same major head. The allotment required is for the year 1106 to close the accounts of that year. The actuals of expenditure incurred under these two heads exceeded the budget grant due to the extra leave allowance that had to be paid to the staff over and above what had been provided for in the budget and the payment of arrear pay for 1105 as a result of the revision of 1105. It is possible to meet this extra expenditure by transfer from the sub-head "District Registrars" under which there are savings to this extent. I request that the House may be pleased to grant the allotment by the transfer proposed.

Motion No. 1.

Mr. P. Kumaran Ezhuthassan.—*To reduce the allotment of Rs. 1,060—0—6 under Registration by Re. 1.*

Mr. P. Kumaran Ezhuthassan.—Sir, this cut motion relates to the case of low-paid subordinates in the Registration Department. The point that I want to place before the Government is the desirability nay, necessity for reserving a certain percentage of posts of Registrars to Head clerks who have put in a large number of years of approved service. There were instances in previous years of Head clerks of approved service being given acting places of Registrars and there are individuals in this Department now who have acted as Registrars for as many as five years. But in recent years the tendency seems to be not to give these places to those Head clerks. I under-

LIBRARY ARCHIVES Kerala Legislative Assembly

stand that the then Superintendent of Registration very strongly recommended the case of three or four Head clerks who had on previous occasions acted as Registrars for periods varying from two to five years, but in spite of that recommendation raw hands were preferred to those experienced Head clerks. This is certainly an injustice shown to the experienced Head clerks in the Department. My information is that of the 25 Head clerks of Registrars' Offices as many as 11 are persons who have put in more than twenty years' service. A few have also acted as Registrars. The practice in British is, I believe, that five per cent of the posts of Registrars is reserved for such men. Here since the number of posts available are only twenty five that percentage will not suffice and I will urge upon the Government to reserve at least 10 per cent of the Registrars' posts to Head clerks of approved service. It is to press this upon the Government that I have tabled this motion.

Mr. A. Eachara Menon.—I second it. The practice now obtaining is to appoint B. A. B. Ls. as Registrars. The work is practically being done by the Head clerks, and the salary is being received by the B. A. B. Ls. By the time their acting period is over they would have done very little work and they would have studied very little of the Registrar's work. The work is being done by the Head clerks with no remuneration whatsoever. You know very well, Sir, what these B. A. B. Ls. know with regard to the work that they have to do. At least by way of giving a chance to these Head clerks five per cent of the posts may be reserved for them *i. e.*, Head clerks of approved service.

T. S. Sesha Ayyar.—As stated by the Hon'ble Member, it has been the policy to appoint only graduates, if possible law graduates as District Registrars. Matrics and School Finals are not now appointed as District Registrars. To do so may be considered a retrograde step, especially when large number of applications from persons with higher qualifications are received. It is not possible to reserve a percentage of appointments as proposed. I do not think that the British Indian policy referred to is exactly what has been stated by the Hon'ble Member. There the Head clerks referred to may be graduate Head clerks, as we do not see matrics and School Finals appointed as Sub-Registrars.

Mr. P. Kumaran Ezhuhtassan.—There are under-graduate Sub-Registrars in Madras.

Mr. T. S. Sesha Ayyar.—That was in the old days. Not now. We were also doing it here. If there are graduates among the Head clerks in the Registration Department, their claims will be considered. As a matter of fact we are appoint-

LIBRARY ARCHIVES Kerala Legislative Assembly

ing graduates of the Registration Department as District Registrars if they are found suitable. If any case has been passed over and if it is brought to the notice of Government, it will be considered on its merits.

Mr. P. Kumaran Ezhuthassan.—Sir, What I understood from the Government side is that, as there are graduates available for filling up the places of Registrars, preference is shown to them. I have only to place before this House that the system of education being what it is and the number of colleges in the State being what it is we can expect graduates to be applying for posts of even peons on Rs. 10. I know there are graduates who hold posts on Rs. 12. To say that graduates are available in plenty and therefore claims of under-graduates of approved service of four or five years in the posts of Registrars on previous occasions are not to be appointed even against the strong recommendations of the departmental head, is a thing which must spell untold hardships on these individuals. The qualifications prescribed by the Government are Matric and the Registration test, and of the 25 Registrars now in service I believe, as many as ten are men having only these minimum qualifications. Persons appointed in old days have held their own and I do not know how they still hold their own against these B. L. Registrars who are now available in plenty.

One fact may kindly be noted of these graduates in Law who seek employment and accept service as Registrars. They come there not to serve the Registration Department but to be drafted on to the Judicial line first as Magistrates and then as Munsiffs as opportunities occur. That has been our experience. Therefore, the question of appointing graduates and especially graduates in Law as Registrars is a thing which is neither good for the Department nor for the individual concerned. I would therefore urge upon the Government the necessity to consider the case of these persons favourably. As I do not now feel there is any useful purpose to be served by pressing this motion to a division, I beg leave of the House to withdraw this motion.

Motion witharawn with leave of the House.

Motion No. 2.

Mr. P. Kumaran Ezhuthassan.—*To reduce the allotment of Rs. 1060—0—6 under Registration by Re. 1.*

Mr. P. Kumaran Ezhuthassan.—Sir, this cut motion relates to another unfortunate practice that is availabe now-a-days in the Registration Department. We had Mr. Venkiteswara Ayyar as Superintendent of Registration for a pretty long time and he retired in 1096. He was followed by Mr. B. C.

LIBRARY ARCHIVES Kerala Legislative Assembly

Chakko who was then a Tahsildar and he continued for three years. Then came Mr. K. T. Thomas, who was then the Assistant Superintendent of Abkari and he continued for four years and in 1103 he retired. From 1103 Edavom to Kumbhom 1107 we had as many as 7 Superintendents of Registration aad in certain cases the period during which they administered that Department was about 30 days. We had such instances. Mr. Thomas was succeeded by Mr. Ramalinga Ayyar who was then a Senior Munsiff having the same grade of pay as the Superintendent of Registration. The Munsiff's pay is Rs. 200-300 and that of the Registration Superintendent is Rs. 250-300. The senior-most Munsiff is appointed as the Superintendent of Registration. So with regard to the pay there is nothing in promoting the first grade Munsiff to the Superintendent's place. Mr. Ramalinga Ayyar was succeeded by Mr. Antony, then a Tahsildar or the Superintendent of Anchal. Then followed Mr. Kochunni Menon for amonth. Then came Mr. Suppukutti Menon, a judicial officer, then Mr. George, another judicial officer, then Mr. Harihara Ayyar, a third judicial officer and then Mr. Raman Menon again a judicial officer. He is now sent to act for two monhts from 17th Makaram to 17th Meenam as the Superintendent of Registration. The difficulties experienced both by these individual members of the service, as well as in the case of the Munsiffs, by the members of the bar, by these constant changes of Munsiffs, and that for short periods, are indeed very great. We have got in these cases two disadvantages. The department is being managed by persons who cannot be expected to have any interest in administering the Department as efficiently as a permanent man who knows that he will have to serve in this Department permanently. These men do know that their hopes do not lie in that Department. These Munsiffs do know that in the next vacancy of the Additional Judge they will be drafted on to the Judicial line again. The double disadvantage is that before these Judicial officers were transferred they were really hardworking men. But when they return to the judicial line after their sojourn in the Registration Department they loose touch with their line of work and grow lazy and by the time they come to the Judicial Department again we have the disadvantage of having rather lazy men to look to the disposal of cases. To avoid these difficulties what I urge upon the Government is to do away with this system of filling up of vacancies of Superintendents of Registration, either temporary or permanent, by drafting men from the Judicial Department. It will be advisable for the Government

LIBRARY ARCHIVES Kerala Legislative Assembly

to rearrange the pay of the Registrars and to have one or two Registrars whose pay will approximate the pay of the Superintendent. The first grade Registrar now gets only Rs. 150. My suggestion will be to have first grade Registrars on a slightly higher pay, say Rs. 200 and to make it a point to appoint first grade Registrars as Superintendent of Registration when vacancies occur. That will improve the Department and not deteriorate the judicial line as is now done by the present system. I believe this will be seriously considered by the Hon'ble Members of this House.

Mr. C. A. Ouseph.—I support the motion. Once there was a notion in Cochin that any man is good for any work. (*Hear, hear*). On this there is no need to deal at length. The simple fact that two retired Chief Judges of the Chief Court were men promoted from the post of Commissioner of Excise shows that, from the standpoint of the Government, any man could fill any post. Advanced Governments certainly do not share that view. A man brought up in a particular line and used to a particular work must be allowed to develop in that line and he must be encouraged to reach the top in that line. By these interpositions and tansfers of men from place to place a lot of hardship is caused to juniors in several departments. To mention only a few, persons who had long ago been sent out on promotion from the Huzur Office as Registrars are now rotting in the very places to which they went from the Huzur, while many of their juniors are now occupying very high and coveted positions in the State service. Though the motion under consideration has particular reference to the filling up of the post of the Registration Superintendent, there are other places also in Cochin service which are often filled up similarly. When the Government gives its anxious consideration to this mater they may also be pleased to consider what I am just about to submit. I refer to the place of the District Magistrate. That also has been made a stepping stone for higher offices. (*Hear, hear*). The result is that the men who fill those places are not forced to take a living or active interest either in the work that they have to do or in the men that are serving under them. It is a loud complaint of the underlings of the Registration Department that the sorry plight they find themselves in is due to the fact that there is no stability in the personnel of the Registration Superintendent and that it is considered a merley as a stepping stone or as a stop-gap arrangement. The work of the Registration Superintendent is a very onorous one and upon that work important questions often depend. I have heard of a case where a false will was lodged in the office of the Registration Super

LIBRARY ARCHIVES Kerala Legislative Assembly

intendent. The matter had ultainately to go to Court. To prevent such occurrences and to make the Superintendent to take some active interest in the work that is entrusted to him and some interest in the men who are serving under him, it is quite necessary that that place must be filled more or less permanently. There are several Registrars in the State. They begin on Rs. 30 or Rs. 40 and end in Rs. 150 within 30 years' service. Sir, can you expect men to be serious and honest in their work with their poor pay especially when they have 12 or 15 children? The cases of 15 children are not rare in the State. (*Laughter*). What interest do you expect them to take in the work that is assigned to them? What improvement in the work that is assigned to him will he bring about? These men are harnessed to hard toil, unwillingly and reluctantly undertaken by them from 10 a. m. to 5 p. m. and sometimes even at night. This state of affairs can be improved only if you give them better salaries. There are certain departments in the State where the men employed are men born with silver spoons in their mouth while there are others who are not born even with iron spoons. They have no spoons at all. Even though the Finance Committee made several recomendations, though a special officer considered them for a long period and an experinced and old Diwan gave his mature consideration to all these recommendations, the orders finally passed by the Government have been very unjust and disappointing in the case of several Departments. The Government will have to revise their decisions regarding the Registration and other Departments. I support the motion.

Mr. T. S. Sesha Ayyar.—The points now urged will receive the careful consideration of the Government. I have no other remarks to offer.

Mr. P. Kumaran Ezhuthassan.—With that assurance I withdraw.

Motion withdrawn with leave of the House.

Motion No. 3.

Mr. K. Ayyappan.—*To reduce the allotment of Rs. 1,060-0-0 under Registration by Re. 1.*

മിസ്റ്റർ കെ. അയ്യപ്പൻ.—സർ, രജിസ്ട്രേഷൻ ഡിപ്പാർട്ട്മെൻറുകാർ കമ്പനി ആക്ട് സെക്ഷൻ 22 വകുപ്പിനു കൊടുത്തിരിയ്ക്കുന്ന വ്യാഖ്യാനം കൊണ്ടു കമ്പനികൾക്കുള്ള വിഷമം ഗവൺമെൻറിനെ അറിയിയ്ക്കാനാണ് ഈ ഉപക്ഷേപം. ആ വകുപ്പിൽ The above list and summary shall be contained in a separate part of the register of members എന്നതിൽ Separate part എന്ന ഒരു പുസ്തകത്തിൽ തന്നെ ഒരു പ്രത്യേക ഭാഗമെന്നാണ് വ്യാഖ്യാനം കൊടുത്തിരിയ്ക്കുന്നത്. വളരെ കാലം കമ്പനി നടന്നാൽ ഇങ്ങിനെ അസൽ ലിസ്റ്റ് രജിസ്ടരിൽ തന്നെ ചേർക്കാൻ സാധിയ്ക്കയില്ല. രജിസ്ടരിൽ തന്നെ ചേർക്കുന്നതു അസൌകര്യവും അഭംഗിയുമായിരിയ്ക്കും. അതുകൊണ്ടായിരിയ്ക്കണം Separate part എന്നു പറഞ്ഞതു. Separate part എന്നതിനു വേറെ പുസ്തകമെന്നാണർത്ഥം. എൻസൈക്ലോപീഡിയാബ്രിട്ടാനിയ മുതലായ ഗ്രന്ഥങ്ങളുടെ പാർട്ടുകൾ പ്രത്യേകം പുസ്തകങ്ങളാണല്ലൊ. ഞാൻ ഈ പറയുന്ന വ്യാഖ്യാനമല്ല ഗവൺമെൻറ് എടുത്തിരിയ്ക്കുന്ന വ്യാഖ്യാനമാണു്

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ശരിയായതെങ്കിൽ വകുപ്പു ഭേദഗതിയിന്മേൽ ഞാൻ പറഞ്ഞ അഭിപ്രായം കമ്മറ്റിക്കാരെ ഇല്ലാതാക്കി കൊടുക്കണമെന്നേ എനിക്കുള്ളൂ" അപേക്ഷയുള്ളൂ.

Mr. T. S. Sesha Ayyar.—We have not received any complaints of this nature till now. We shall enquire into the matter.

Mr. K. Ayyappan.—Was this matter referred to the Government by the Registration Department?

Mr. T. S. Sesha Ayyar.—No.

Mr. K. Ayyappan.—I know it was referred to the Government and the Government have pronounced an opinion.

Mr. T. S. Sesha Ayyar.—I do not remember any such case. I shall enquire.

Mr. K. Ayyappan.—May I know the Government Advocate's opinion on that matter?

Mr. K. P. Kannan Nayar.—I am not in a position to give an off-hand opinion. I must take time.

Mr. K. Ayyappan.—I beg to withdraw the motion with the leave of the House.

Motion withdrawn with leave.

The demand was put and carried.

2. 14—4. Legislative Council—Rs. 43.

Mr. T. S. Sesha Ayyar.—Sir, I rise to move for an additional allotment of Rs. 43 under "14—IV Legislative Council—Temporary Establishment." The Select Committee appointed to consider the Cochin Tenancy Regulation Amendment Bill wanted an extension of time to submit its report and the period thus extended will expire on the 18th Meenam 1107. The clerk and peon deputed to work under the Committee has provision now only till 25th Kumbham 1107. The additional allotment that is now required is to meet the pay of the clerk and the peon from the 25th Kumbham to 18th Meenam 1107. The expenditure could not be met by reappropriation. I therefore request the House may be pleased to allow this grant.

Motion No. 1.

Mr. P. Kumaran Ezhuthassan.—*To reduce the allotment of Rs. 43 under 14—IV—Legislative Council by Re. 1.*

Mr. P. Kumaran Ezhuthassan.—Sir, from the note explaining the demand it is seen that the period is extended till the 18th Meenam 1107. The next sitting of the Legislative Council is now notified for the first Meenam and it is quite certain that the Select Committee Report on the Tenancy Amendment Bill will not be available for discussion in the next sitting also. The next being the Budget Session this Report is not likely to come up then also. So the earliest date on which the Report of the Select Committee can be expected is the Vrischigam Session of 1108.

President.—What are you speaking of? Is the Hon'ble Member speaking on the motion or on a general motion? You must speak on the cut motion.

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